

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

ONE-E-WAY, INC.,

Plaintiff,

V.

DELL TECHNOLOGIES INC.  
AND DELL INC.,

Defendants.

CIVIL ACTION NO. 1:24-cv-1558-RP

## JURY TRIAL DEMANDED

**DECLARATION OF BARRY K. SHELTON IN SUPPORT OF DEFENDANTS' MOTION  
TO DISMISS PURSUANT TO FED. R. CIV. P. 12(B)(6)**

I, Barry K. Shelton, hereby declare as follows:

1. I am admitted to practice in the Western District of Texas (“WDTX”) and am a partner at the law firm of Shelton Coburn LLP, counsel of record for Dell Technologies Inc. and Dell Inc. (collectively “Dell”) in the above-captioned action. I submit this declaration in support of Dell’s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6). I am competent to make this declaration, and all statements herein are true and correct to the best of my personal knowledge.

2. Attached hereto as **Exhibit A** is a true and correct copy of U.S. Patent No. 9,107,000.

3. Attached hereto as **Exhibit B** is a true and correct copy of U.S. Patent No. 10,129,627.

4. Attached hereto as **Exhibit C** is a true and correct copy of U.S. Patent No. 10,468,047.

5. Attached hereto as **Exhibit D** is a true and correct copy of the March 14, 2006 Amendment/Response from the prosecution history of U.S. Patent App. No. 10/648,012.

6. Attached hereto as **Exhibit E** is a true and correct copy of Apple Inc.'s Motion for Summary Judgment of Non-Infringement in *One-E-Way, Inc. v. Apple Inc.*, No. 2:20-CV-06339-JSK-PD, Dkt. No. 95 (C.D. Cal. Apr. 21, 2022).

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the Bluetooth Core Specification version 5.0, dated June 11, 2024, obtained from <https://www.bluetooth.com/specifications/specs/core-specification-amended-5-0/>, as cited in Plaintiff's Complaint.

I declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge and recollection, the foregoing is true and correct.

**EXECUTED** this 21st of March 2025, in Austin, Texas.

/s/ Barry K. Shelton

Barry K. Shelton